

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 28, 2010

DIVISION ONE

B218382 People (Not for Publication)
v.
Battle

The judgment is affirmed.

Johnson, J.

We concur: Mallano, P.J.
 Chaney, J.

B216747 Raymond, (Not for Publication)
v.
Flynt et al.

The judgment confirming the arbitration award is reversed. The trial court is directed to vacate the award. Appellants shall recover their costs on appeal.

Johnson, J.

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION ONE (continued)

[illegible]

The sentence is vacated and the case is remanded for resentencing to permit the trial court to exercise its discretion under *People v. Garcia* (1999) 20 Cal.4th 490, 499-500, with respect to counts 2 through 4. In all other respects, the judgment is affirmed.

Mallano, P.J.

We concur: Chaney, J.
Johnson, J.

B208927 Kamhout (Not for Publication)
v.
The Vons Companies, Inc., et al.

The order finding defendants' memorandum of costs untimely is reversed, and the matter is remanded for further proceedings consistent with this opinion. The judgment is otherwise affirmed. Defendants shall recover their costs on both the appeal and the cross-appeal.

Rothschild, J.

We concur: Mallano, P.J.
 Johnson, J.

B222781 People (Not for Publication)
v.
J.N.

The order under review is reversed.

Mallano, P.J.

We concur: Rothschild, J.
 Johnson, J.

September 28, 2010 (Continued)

DIVISION ONE (continued)

[illegible]

Defendant's conviction is reduced to second degree murder and his sentence is reduced to 15 years to life. As modified, the judgment is affirmed. The trial court is directed to issue an amended abstract of judgment.

Mallano, P.J.

We concur: Rothschild, J.
 Chaney, J.

B215034 Antounian et al. (Not for Publication)
v.
Malletier et al.

The judgment is affirmed. Respondents shall recover costs on appeal.

Johnson, J.

We concur: Mallano, P.J.
 Chaney, J.

DIVISION TWO

B221349 People (Not for Publication)
v.
Hernandez and Hernandez

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

DIVISION THREE

B219284 People (Not for Publication)
B219584 v.
B220182 Garcia

The order denying the motion to vacate is affirmed; the petition for writ of mandate is dismissed; the petition for writ of habeas corpus is denied.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

B215105 Flores, et al. (Certified for Publication)
v.
Enterprise Rent-A-Car Company, et al.

The judgments entered in favor of the defendants are affirmed. Defendants shall receive their costs on appeal.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

[illegible]

The judgment is affirmed. The matter is remanded to the trial court solely for a determination of the amount of attorney fees to be awarded Carter as the prevailing party on appeal (151.10(A)). Carter is awarded her costs on appeal.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B220987 People (Not for Publication)

V.
Hugo Rosales

The findings on all prior conviction and prior prison term allegations are reversed and remanded to the trial court for retrial. In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

B216446 People (Not for Publication)

V.
Jimmy Lee Burton

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B221784 Los Angeles County, D.C.F.S. (Not for Publication)

v.
Mercedes V.

The appeal is dismissed.

Turner, P.J.

We concur: Kriegler, J.
Kumar, J. (Assigned)

DIVISION FIVE (continued)

B220440 Howard Entertainment, Inc. et al., (Not for Publication)
 v.
 Lisa Kudrow, et al.,

The summary judgment is reversed and the matter is remanded to the trial court to exercise its discretion on whether to grant a continuance. No costs are awarded.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

B217900 People (Not for Publication)
 v.
 Taylor

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

DIVISION EIGHT

Court convened at 9:05 a.m.

Present: Rubin, Acting P.J., Flier, J., O'Connell, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

Each of the following:

B217666 Tre Holding LLC v. Brown et al.
B220846 People v. Vega
B221849 DCFS v. G.G.
B222995 DCFS v. D.S.
B223512 DCFS v. D.H.

DIVISION EIGHT (continued)

B219896 In re Darlene Vargas on Habeas Corpus

B221395 People v. Poster

B221868 People v. J.C.

B218810 People v. Serrano

B217491 People v. Vasquez

Argument waived, cause submitted.

B216632 Citizens Business Bank

v.

Jonathan Carrano

Donna Kazanjian et al.,

Merits:

Argued by Gerald M. Serlin for appellant and by Michael J. Emling for respondents. Cause submitted.

B208957 Peter H.,

v.

Laurie H.,

Merits:

Argued by Laurie H. appellant, appearing in propria persona and by Timothy E. Metzinger for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:02 p.m.

Present: Rubin, Acting P.J., Flier, J., Grimes, J., O'Connell, J. (Assigned) and Emma Jean Amos , Deputy Clerk.

DIVISION EIGHT (continued)

B216857 People
 v.
 Jamal Green

Merits:
Argued by Judith Kahn for appellant and by Beverly K. Falk, Deputy
Attorney General for respondent. Cause submitted.

Grimes, J. left the bench.

B189898 Terry McCann et al.,
 v.
 Frederick D. Baker

Merits:
Argued by Charles S. Siegel for appellants and by Frederick D. Baker for
respondent. Cause submitted.

Grimes, J. returns to the bench.

Flier, J. left the bench.

B220602 New Star Realy, Inc.,
 v.
 Eun Y. Park

Merits:
Argued by Wayne Pak Yee for appellant and by Eric C. Demler for
respondent. Cause submitted.

Flier, J. returns to the bench.

Rubin, J. left the bench.

B207551 Mitchell Grobeson
 v.
 City Of Los Angeles

Merits:
Argued by Ronald Frank for appellant and cross-respondent and by Theresa
M. Traber for respondent and cross-appellant. Cause submitted.

DIVISION EIGHT (continued)

B219189 M.C.,
 v.
 M.A.,

Oral argument continued to October 26, 2010, at 9:00 a.m.

B215948 Roe et al.,
 v.
 Doe et al.,

Oral argument continued to October 27, 2010, at 1:00 p.m.

B218013 Zhang
 v.
 Uan Zhong Li et al.,

Oral argument continued to October 26, 2010, at 10:30 a.m.

Court adjourned.

B213373 HCM Healthcare, Inc., et al.,
 v.
 California Insurance Guarantee Association,

Filed order modifying opinion. (No change in the judgment)